

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA, *ex rel.* )  
THOMAS FISCHER, )  
Plaintiffs, )  
v. ) Cause No. 1:14-cv-01215-RLY-MKK  
COMMUNITY HEALTH NETWORK, INC. )  
Defendant. )

**CONSENT MOTION TO AMEND LIMITED CASE MANAGEMENT DEADLINES**

Relator Thomas P. Fischer, by counsel, files this Consent Motion to Amend Case Management Deadlines. In support of the Consent Motion, Relator states as follows:

1. This Court entered its initial order on the CMP for this case on March 19, 2021. Dkt. No. 177.
2. This Court entered an Amended CMP on July 1, 2022, and a Second Amended CMP on May 3, 2023. Dkt. Nos. 418; 533. The Second Amended CMP is the controlling CMP.
3. Under the Second Amended CMP, all fact discovery is to be completed by March 1, 2024. Dkt. No. 533.
4. The parties have worked to move the case along for more than four years and have regularly reported to the Court. As the Court is aware, this is a complex case and on several occasions the parties have needed the Court's guidance and intervention to resolve discovery issues. The United States and CHN settled the allegations related to the United States' Complaint in Intervention, and all parties worked for the past few months to resolve that part of the case and ancillary matters related thereto. Though certain portions of the case are now

streamlined, Relator's Second Amended Complaint with its FCA and employment claims is still at issue. Several significant items remain to be completed before fact discovery can be finalized, as the parties have discussed with the Court over the last several status conferences. (Dkt. Nos. 724, 696). Currently, there are two discovery motions pending before the Court (Dkt. Nos. 727, 711) regarding subpoenas that seek crucial and relevant fact discovery. In addition, the parties are in the process of scheduling and re-scheduling multiple depositions in the next several weeks, some of which will be more than seven hours due to the number of topics at issue and the breadth of the witnesses' knowledge. As a result, the current fact discovery deadline is therefore untenable and a slight modification is requested to allow Relator to complete the discovery process.

5. On January 24, 2024, Relator conferred with CHN and on January 25, 2024, CHN agreed to the extension and modification of seven (7) events, as described below. The United States takes no position.

6. Accordingly, Relator proposes the following deadline amendments to the CMP:

Event	Current Deadline	Proposed New Deadline
Non-expert discovery completed	March 1, 2024	Monday, June 3, 2024
Disclosure of expert witnesses and reports	May 2, 2024	Friday, August 2, 2024
Disclosure of rebuttal witnesses and reports	June 1, 2024	Monday, September 2, 2024
Expert witness discovery completed	September 1, 2024	Monday, December 2, 2024
Dispositive Motions	October 1, 2024	Thursday, January 2, 2025
Objections to limit or preclude expert testimony at trial	November 15, 2024	Monday, February 17, 2025
Final witness and exhibit list	January 15, 2025	Tuesday, April 15, 2025

7. The proposed new deadlines do not impact the pre-trial conference or trial dates, and this Motion seeks no continuance of those dates.

8. This request is not made for purposes of delay and will not interfere with any of the other case management deadlines.

WHEREFORE, Relator respectfully requests that the Court extend the current Case Management deadlines as described herein.

Dated: January 30, 2024

Respectfully submitted,

/s/ Veronica B. Nannis

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*Attorneys for Relator Thomas P. Fischer*

**CERTIFICATE OF SERVICE**

On January 30, 2024, I caused a true and accurate copy of the foregoing to be filed using the Court's CM/ECF system, which will send an electronic filing notice to all counsel of record.

January 30, 2024

Date

/s/  
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Veronica Nannis